IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 4TH JULY 2006 / 13TH ASHADA 1928

Bail Appl..No. 3965 of 2006()

L.P.C.No.37/1995 of JUDICIAL FIRST CLASS MAGISTRATE COURT , PATTAMBI

PETITIONER/ACCUSED

MUHAMMADALI, S/O.KUTTIPOKKER MASTER,
PALACKALPARAMBIL VEEDU, VILAYUR AMSOM,
PERADIYUR DESOM, PATTAMBI VIA, PALAKKAD DISTRICT.

BY ADV. SRI.K.P.MUJEEB

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.T.K.KUNHABDULLA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 3965 of 2006

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Dated this the 4th day of July, 2006

O R D E R

The petitioner did not appear before the court below, therefore, the case against the other accused were committed to the Sessions Court and were disposed of by that court, according to the law. Now, the petitioner is before this Court on the plea that he may be granted an order under Section 438 Cr.P.C, in the event of his arrest.

2. The learned Public Prosecutor submitted that the case against the petitioner has been split up and is pending as L.P.C.No.37/1995 on the file of the Judicial First Class Magistrate Court, Pattambi.

3. After considering the submissions made by both sides, I direct the petitioner to surrender before the J.F.C.M, Pattambi and move an application for bail, after serving the copy of the same to the Prosecutor, well in advance. The learned Magistrate shall dispose of the petition on merit, if the condition, of serving of the copy, has been complied with, on the same day itself.

(J.M.JAMES)
Judge

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